

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By **CHAIRMAN KIM GILLAN**, on March 20, 2007 at 3:15 P.M., in Room 303 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Kim Gillan, Chairman (D)  
Sen. John Esp (R)  
Sen. Kelly Gebhardt (R)  
Sen. Bob Hawks (D)  
Sen. Carol C. Juneau (D)  
Sen. Rick Laible (R)  
Sen. Lynda Moss (D)  
Sen. Terry Murphy (R)  
Sen. Jerry O'Neil (R)  
Sen. Mitch Tropila (D)

##### **Members Excused:**

Sen. Carol Williams (D)

**Members Absent:** None.

**Staff Present:** Sue O'Connell, Legislative Branch  
Marigail Schreiner, Committee Secretary

**Audio Committees:** These minutes are in outline form only.

They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 596, HB 524, HB 456, 3/8/2007  
Executive Action: HB 596, HB 456, HB 795, HB 369,  
HB 524, SB 201

00:00:03 The Committee was called to order by Sen. Juneau.

**HEARING ON HB 596**

**Opening Statement by Sponsor:**

00:00:48 **REP. DIANE SANDS (D), HD 95**, opened the hearing on **HB 596**, Increase taxpayer assessment repayment term.

**Proponents' Testimony:**

00:02:00 Brent Ramharter, Business Manager City of Missoula

[EXHIBIT\(los59a01\)](#)

00:04:17 Alec Hansen, League of Cities

**Opponents' Testimony:**

00:05:01 None

**Informational Testimony:**

00:05:06 None

**Questions from Committee Members and Responses:**

00:05:14 Sen. O'Neil to Alec Hansen

**Closing by Sponsor:**

00:06:11 Rep. Sands

**HEARING ON HB 524**

**Opening Statement by Sponsor:**

00:07:02 **REP. ROBIN HAMILTON (D), HD 92**, opened the hearing on **HB 524**, Revise city or town incorporation laws.

**Proponents' Testimony:**

00:08:50 Walt Hill, Seeley Lake area

[EXHIBIT\(los59a02\)](#)

00:10:51 Alec Hansen, League of Cities

**Opponents' Testimony:**

00:12:47 None

**Informational Testimony:**

00:12:58 None

**Questions from Committee Members and Responses:**

00:13:04 Sen. O'Neil to Rep. Hamilton

00:15:45 Rep. Hamilton

**EXHIBIT(los59a03)**

00:16:38 Sen. Laible to Alec Hansen

**Closing by Sponsor:**

00:17:18 Rep. Hamilton

**HEARING ON HB 456**

**Opening Statement by Sponsor:**

00:18:07 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 456**, Revise mobile home park laws by creating a mobile home lot rental act.

**Proponents' Testimony:**

00:20:09 Roger Halver, Montana Landlords' Association

00:22:32 Steve Turkiewicz, Montana Bankers' Association

**EXHIBIT(los59a04)**

00:24:40 Steve Yeakel, Montana Independent Bankers

00:25:01 Janet Harper, Montana Credit Unions

00:25:16 Sen. Williams arrived

**Opponents' Testimony:**

00:25:28 Ed McHugh, McHugh Mobile Home Park

**Informational Testimony:**

00:29:16 None

**Questions from Committee Members and Responses:**

00:29:20 Sen. Esp to Rep. McNutt

00:30:34 Sen. Esp to Ed McHugh

00:32:15 Sen. Hawks to Rep. McNutt

00:33:15 Sen. Esp to Rep. McNutt

00:33:53 Sen. Moss to Roger Halver

**Closing by Sponsor:**

00:36:16 Rep. McNutt

00:38:01 Sen. Juneau

**Discussion on SB 345 Amendments**

00:38:35 Sen. Hawks

**EXHIBIT**(los59a05)

00:39:56 Sen. Gillan

**EXECUTIVE ACTION ON HB 596**

00:40:24 **Motion:** SEN. MOSS moved that HB 596 BE CONCURRED IN.

**Discussion:**

00:40:50 Sen. Moss

00:41:08 Sen. Gebhardt to Sen. Hawks

00:42:08 **Vote:** Motion carried unanimously by voice vote. SEN. HAWKS will carry HB 596 on the Senate Floor.

00:42:49 **Motion:** SEN. ESP moved that HB 456 BE CONCURRED IN.

00:43:05 **Motion/Vote:** SEN. ESP moved that HB 456 BE AMENDED.

**Discussion:**

00:43:10 Sen. Esp

00:43:31 **Vote:** Motion carried unanimously by voice vote with SEN. WILLIAMS voting aye by proxy.

00:43:45 **Motion:** SEN. ESP moved that HB 456 BE CONCURRED IN AS AMENDED.

**Discussion:**

00:44:06 Sen. Hawks

00:44:32 **Vote:** Motion carried unanimously by voice vote with SEN. WILLIAMS voting aye by proxy. SEN. O'NEIL will carry HB 456 on the Senate Floor.

**EXECUTIVE ACTION ON HB 795**

00:45:08 **Motion/Vote:** SEN. GEBHARDT moved that HB 795 BE CONCURRED IN. Motion carried unanimously by voice vote with SEN. WILLIAMS voting aye by proxy. SEN. GEBHARDT will carry HB 795 on the Senate Floor.

00:46:35 Sen. Juneau

00:46:58 Sue O'Connell

**EXECUTIVE ACTION ON HB 369**

00:47:15 **Motion:** SEN. GEBHARDT moved that HB 369 BE CONCURRED IN.

[\*\*EXHIBIT\*\*](#)(1os59a06)

[\*\*EXHIBIT\*\*](#)(1os59a07)

00:47:20 Sen. Laible arrived

00:48:35 **Motion:** SEN. GEBHARDT moved that HB 369 BE AMENDED.

**Discussion:**

00:48:57 Sen. Hawks

00:49:11 Sen. Gebhardt

00:49:38 **Vote:** Motion carried unanimously by voice vote with  
SEN. WILLIAMS voting aye by proxy.

00:49:56 **Motion:** SEN. GEBHARDT moved that HB 369 BE CONCURRED  
IN AS AMENDED.

00:50:05 **Motion:** SEN. ESP moved that HB 369 BE AMENDED.

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**Discussion:**

00:50:59 Sen. Gillan to Sen. Esp

00:51:30 Sen. Hawks

00:53:13 Sen. Esp

00:53:49 **Vote:** Motion failed 3-8 by roll call vote with SEN.  
ESP, SEN. LAIBLE, and SEN. O'NEIL voting aye and SEN.  
WILLIAMS voting no by proxy.

00:54:48 **Motion:** SEN. GEBHARDT moved that HB 369 BE CONCURRED  
IN AS AMENDED.

**Discussion:**

00:55:14 Sen. Hawks

00:56:00 **Vote:** Motion carried 10-1 by voice vote with SEN. ESP  
voting no and SEN. WILLIAMS voting aye by proxy. SEN.  
HAWKS will carry SB 369 on the Senate Floor.

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**EXECUTIVE ACTION ON HB 524**

00:57:33 **Motion:** SEN. GEBHARDT moved that HB 524 BE CONCURRED  
IN.

00:57:43 **Motion:** SEN. GEBHARDT moved that HB 524 BE AMENDED.

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**Discussion:**

00:58:01 Sen. Gebhardt

00:58:45 **Vote:** Motion carried unanimously by voice vote with  
SEN. WILLIAMS voting aye by proxy.

00:59:10 **Motion:** SEN. GEBHARDT moved that HB 524 BE CONCURRED  
IN AS AMENDED.

00:59:20 **Motion:** SEN. O'NEIL moved that HB 524 BE CONCEPTUALLY  
AMENDED.

**Discussion:**

01:00:10 Sen. Gebhardt

01:00:42 Sen. Hawks

01:01:51 Sen. O'Neil

01:02:57 Sen. Gillan

01:03:25 Sen. Gillan to Harold Blattie, Montana Association of  
Counties

01:04:16 Sen. Esp

01:04:48 Sen. Hawks to Tim Davis, Montana Smart Growth Coalition

01:05:40 Sen. Gebhardt

01:06:49 Sen. O'Neil

01:08:16 **Vote:** Motion failed 3-8 by voice vote with SEN.  
GEBHARDT, SEN. MURPHY, and SEN. O'NEIL voting aye and  
SEN. WILLIAMS voting no by proxy.

01:09:24 **Motion:** SEN. JUNEAU moved that HB 524 BE CONCURRED IN  
AS AMENDED.

**Discussion:**

01:09:42 Sen. Esp to Harold Blattie

01:10:40 Sen. Gillan

01:11:37 Harold Blattie

01:12:28 **Vote:** Motion carried 10-1 by voice vote with SEN.  
O'NEIL voting no and SEN. WILLIAMS voting aye by proxy.  
SEN. WILLIAMS will carry HB 524 on the Senate Floor.

**EXECUTIVE ACTION ON SB 201**

01:12:45 Sen. Laible

**Discussion:**

01:13:41 Tim Davis, Montana Smart Growth Coalition

01:14:22 **Motion:** SEN. LAIBLE moved that SB 201 DO PASS AS AMENDED.

**Discussion:**

01:15:03 Sue O'Connell

**EXHIBIT**(los59a08)

01:15:13 **Motion/Vote:** SEN. LAIBLE moved that SB 201 BE AMENDED. Motion carried unanimously by voice vote with SEN. WILLIAMS voting aye by proxy.

01:16:04 **Motion:** SEN. LAIBLE moved that SB 201 DO PASS AS AMENDED.

**Discussion:**

01:16:20 Sen. Laible

01:17:20 Sen. Hawks

01:17:39 Sen. Gebhardt

01:17:54 Sen. Laible

01:18:25 **Vote:** Motion carried 9-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no and SEN. WILLIAMS voting aye by proxy.

01:19:18 Sue O'Connell, LSD

01:19:29 Sen. Laible

**ADJOURNMENT**

Adjournment: 4:35 P.M.

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SEN. KIM GILLAN, Chairman

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MARIGAIL SCHREINER, Secretary

KG/ms

Additional Exhibits:

**EXHIBIT ([los59aad.pdf](#))**